

## **REMARKS/ARGUMENTS**

Applicant thanks the Examiner for his careful review of this application. Claims 1-12 have been rejected. Claims 6, 11, and 12 have been amended. Claims 13-36 have been canceled. Figure 2 has been amended. Applicant respectfully requests reconsideration of the application in view of the above amendment and the following remarks submitted in support thereof.

### **Claim Objections**

Examiner has rejected the claims because of informalities. Although the Applicant believes that appropriate wording is provided, the Applicant has amended claims 6, 11, and 12 to correct minor typographical and antecedent basis mistakes in order to more clearly define the claims. Applicant respectfully requests the Examiner to withdraw the claim objections.

### **Anticipation Rejections under 35 U.S.C. §102(a)**

The Examiner has rejected claims 1-12 under 35 U.S.C. 102(a) as being anticipated by admitted prior art (APA). For the reasons put forth below, Applicant respectfully asserts that APA fails to identically disclose each and every feature specified in independent claims 1 and 7.

Independent claims 1 and 7 define a method and system for automatically detecting scene changes. Specifically, in addition to determining metrics of frames successively following a candidate frame, independent claims 1 and 7 further define determining the metrics of frames successively preceding the candidate frame.

In support of the 35 U.S.C. §102(a) rejection, the Examiner notes that APA in Figure 2 discloses determining the metrics of frames successively preceding the candidate frame.

Applicant respectfully traverses the Examiner's characterization in this regard because as amended, Figure 2 does not teach determining the metrics of frames successively preceding the candidate frame. Specifically, as shown in amended Figure 2, the candidate for a scene change, as represented by short segment 210, is actually the first short segment immediately after initial frame x and not the second short segment at the end of width AB. Initial frame x "is situated immediately before the scene change," and APA only teaches comparing frames that follow the candidate for the scene change (page 7, line 36 and page 9, lines 6). In contrast, in addition to determining the metrics of frames successively following the candidate frame, independent claims 1 and 7 further define determining the metrics of frames successively preceding the candidate frame. Accordingly, APA does not teach or suggest to one having ordinary skill in the art further determining the metrics of frames successively preceding the candidate frame, as defined in independent claim 1 and 7.

As APA fails to teach each and every element of the claimed invention, the Applicant respectfully submits that independent claims 1 and 7 are patentable under 35 U.S.C. § 102(a) over APA. Further, dependent claims 5, 6, 11, and 12, each of which directly or indirectly depends from independent claims 1 and 7 are submitted to be patentable under 35 U.S.C. § 102(a) over APA for the reasons set forth above. Accordingly, the Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. § 102(a) rejections for claims 1, 5-7, 11, and 12.

**Obviousness Rejections under 35 U.S.C. §103(a)**

Applicant respectfully requests reconsideration of the 35 U.S.C. §103(a) rejections of dependent claims 2-4 and 8-10 as being unpatentable over APA in view of Ullas Gargi et al., Performance Characterization of Video-Shot-Change Detection Methods, IEEE Transactions on Circuits and Systems for Video Technology, Volume 10, February, 2000, at 1. As

discussed above, APA does not teach or suggest further determining the metrics of frames successively preceding the candidate frame, as defined in independent claims 1 and 7. As such, APA in view of Gargi et al. do not raise a *prima facie* case of obviousness against any of dependent claims 2-4 and 8-10. Accordingly, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. §103(a) rejection for claims 2-4 and 8-10.

### **Conclusion**

In view of the foregoing, the Applicant respectfully submits that all the pending claims 1-12 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present Amendment, the Examiner is requested to contact the undersigned at (408) 749-6900 ext. 6924. If any additional fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805 (Order No. ROXIP235). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,  
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